தமிழ்நாடு சட்டப் பேரவை

செவ்வாய்க்கிழமை, 1972 டிசம்பர் 5.

சென்னை செயின்ட் ஜார்ஜ் கோட்டையிலுள்ள சட்டப் பேரவை மண்டபத்தில் காலை 9 மணி அளவில் மாண்புமிகு பேரவைத் துணைத் தலைவர் திரு. பெ. சீனிவாசன் அவர்கள் தலைமையில் பேரவை கூடியது.

1. நடைமுறைக் கேள்வி

1972-ம் ஆண்டு டிசம்பர் 2-ம் தேதி 12 மணிக்கு மேல் பேரவையில் நடந்த நிகழ்ச்சிகள் குறித்து.

Dr. H. V. HANDE rose.

Mr. DEPUTY SPEAKER : Let us finish the question hour.

Dr. H. V. HANDE : Before that, I want this; because, I am not asking for the postponement of the question hour. I am rising on a point of order, before the question hour. I would like to know whether the gentleman who is presiding over this House is the 'Deputy Speaker' or the 'Acting Speaker'? In our opinion whatever it is, so far as we are concerned, he is not the Acting Speaker. I want that to be cleared.

I want another assurance from the presiding officer, that suddenly the mikes in the House will not be switched off—that assurance I want—unlike on Saturday when we started talking, it happened. It looks as though the Executive, the Chief Minister, could order the officials concerned to suddenly switch off the mike. Whether the presiding officer is going to resort to that undemocratic method, I want to know. I want to get that assurance that under no circumstances, whoever is speaking will be allowed to speak and the mikes will not be switched off.

Another thing is this. Under no circumstances, whatever transaction is going on in this House, like in the Lok Sabha, it will not be expenged, I want that assurance. In the Lok Sabha, they

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குறிப்பு.—ஓர் உரையின் தொடக்கத்தில் வெள்ளிக்குறி (*) இடப்பட்டிருந்தால் அவ்வுரை உறுப்பினரால் சரிபார்க்கப்பட்டது என்பதைக் குறிக்கும்.

do not expunge anything and everything is allowed. Anything that is not pleasing to the Chief Minister or the Deputy Speaker—unless an unparliamentary word is used, that word alone can be expunged—should not be expunged. If anything said is not pleasing or against the Government and if that is going to be expunged, we cannot get along in this House. These two assurances I want to get from the presiding officer.

Another point I want to get clarified through my point of order is this and that is whether this person who is presiding according to me he is the Deputy Speaker—the Marshal announced so and I take it—till the Court declared who is the Speaker, till then, the presiding officer is only the Deputy Speaker as every one of us knows and not the Acting Speaker as had been wrongly published in the Gazette hastily, without even taking the approval of the Governor; before he came, it was done. Calling him Acting Speaker, whether the Speaker was suspended, removed or whatever it is from the Assembly and Resolution passed to the effect, all these things are entirely wrong. But the point is the assurance I want is that it is only the Deputy Speaker that is presiding over the House now. Also, whatever proceedings that took place on Saturday after the question hour, that is 12 o' clock, they must be treated null and void. The entire proceedings are in Court and that is *sub judice*. The Assembly itself is *sub judice;* the Assembly itself is in Court. Are we carrying actually lawful proceedings ? That itself is in court. It may go on to Supreme Court. Therefore, the Assembly meeting itself, according to me, is not proper; our meeting now is unconstitutional. I want that particular point to be clarified before we start anything, even the question hour : are we legal or not ?

ings after 12 o' clock was illegal ? Why do I say it is unconstitutional? Let us see the manner in which a chair was brought—and who brought the chair ? Under the orders of the Chief Minister.) What right has the Chief Minister to order for a chair to be brought here? What business has he got to do that? Is he controlling the Chamber—we would like to know whether he or the Speaker? Did he make prior arrangement? The whole thing was preplanned. Where was the Chair ? In the Assembly somewhere it was kept. Who was responsible for these things? And how did

[Dr. H. V. Hande]

suddenly the opposition members' mikes went off ? On what authority *quo warranto*, they switched off the mikes? Where is the guarantee that it will not be done again ? Show me one instance in the whole of India, anywhere in the world where the mikes of members had been switched off? Where is the guarantee ? Suppose I ask tomorrow a question which the Chief Minister does not like or the Deputy Speaker does not like, where is the guarantee that the mike will not be switched off. It is a violation of the Constitution. Then, how did you pass the Resolution? Under what authority? Who passed the resolution? Who presided then ? I am not saying anything against the Deputy Speaker as such he was on that day. How was he given the authority to sit? All these things will have to be gone into. Suddenly another Speaker appears. Has it ever happened in the history of Parliament so far? Has there been at any time a parallel Assembly going on anywhere in Parliament ? Yesterday, in the Lok Sabha, they were laughing at Tamil Nadu, the prestige of Tamil Nadu. To what extent you have brought down its prestige. Everyone of the 234 members was a laughing stock. What sort of conduct was that ? How can we expect students to have discipline, when indiscipline and anarchy is in this House? How is it possible suddenly for the Deputy Speaker, sitting there as he was, to run a parallel House? And another Speaker runs a parallel House. What is all this? So, that particular point has to be clarified. Was the Speaker even given a chance? I do not want more than that ; otherwise it is an absurdity, *reduction ad absurdum*.

The Leader of the House moved a resolution. Did the Speaker reply? According to the Constitution, it is clearly laid down in the Constitution of India that when a resolution of no confidence is brought against the Speaker, he is given the right to reply. He was not given the right to reply. The whole thing was a farce. The whole business was something like this. You go into the Legislators' Hostel in the D.M.K. party room and carry on proceedings, with a dummy Speaker and you remove another. What happened here has as much validity as the proceedings in the D.M.K. party room. There is no difference. Why do you do that? What is your motive? What was the motive behind it? It was done with the deliberate intention of avoiding facing

the no confidence motion with the Speaker, Mr. Mathialagan in the Chair (Interruption by the hon. Member Thiru M. A. Latheef). Nothing wrong.

Mr. DEPUTY SPEAKER : The hon. Member, Dr. Hande will please address the Chair.

Dr. H. V. HANDE : He is a lawyer and he can argue. I am not an expert like him. But atleast I have some commonsense. The whole thing is invalid even from the point of view of rudimentary democracy. Why? Because you are afraid of facing the no confidence motion when the Speaker Mr. Mathialagan . . . . . (Interruption) you may cut him to hundred pieces, I shall still say, he is the Speaker, he is the Speaker, he is the Speaker. You may send me out, you may prevent me from coming, you may debar me, you can expel me, you can suspend me and do all those things. I am prepared to face. There is no respect in this House to anybody. Do not go on interrupting me. You can reply.

It is disgraceful for the Ministry to be still in their seats without presenting to us the corruption charges; the hon. Member, Mr. M. G. Ramachandran was going on mentioning the corruption charges; they have appeared in the papers. You were afraid to face them with Mr. Mahtialagan in the Chair. Therefore you brought a no confidence motion against him. On Saturday the 13th itself we could have taken up that. But you were afraid to face the people. That is my contention. The Chief Minister smiles. You may laugh now. But he who laughs last laughs best. Therefore I say you were afraid to face the people. That is the basic thing. The four-and-a half crore people in Tamil Nadu are convinced beyond doubt that the Hon. Chief Minister, Mr. Karunanidhi and his Cabinet are afraid to face the corruption charges levelled against them by Mr. M. G. Ramachandran and many of us. We have also brought no confidence motions. Now, under the Deputy Speaker—he is your man—you want to take them up, and not under Mr. Mathialagan in the Chair. That is what people are talking about.

Another point which I would like to say is that so many corruption charges are there and people are talking about it every day, day in and day out. Those corruption charges were presented to the President of India and then they were referred back to the Hon. Chief Minister.

THIRU M. A. LATHEEF : Sir, on a point of order............

MR. DEPUTY SPEAKER : I am not going to allow anybody to interrupt the hon. Member. Let the hon. Member (Thiru M. A. Latheef) resume his seat.

THIRU N. VEERASAMI : Sir, there is a limit.........

MR. DEPUTY SPEAKER : There is no limit. Let the hon. Member resume his seat.

THIRU M. A. LATHEEF : It is highly provocative.........

DR. H. V. HANDE : You can also provoke me. I am coming to the point.

MR. DEPUTY SPEAKER : Is it a point of order?

DR. H. V. HANDE : Yes, I am speaking on my point of order. Sometimes there is no limit to a point of order..............

மாண்புமிகு டாக்டர் மு. கருணாநிதி : தலைவர் அவர்களே, மாண்புமிகு உறுப்பினர் சொல்கிற இந்தக் கருத்துக்களை எல்லாம் கேள்வி நேரத்திற்குப் பிறகு சொல்லலாம். அவர்கள் அப்போது எவ்வளவு நேரம் வேண்டுமென்றாலும் எடுத்துக்கொள்ளலாம். ஆனால் இதுபோல கேள்வி நேரத்திற்கு முன்பு பாயிண்ட் ஆப் ஆர்டர் என்பதாக ஒரு விவாதத்தை எழுப்புகிற நிலை உண்டானால் இதே சபையில் ஒவ்வொரு நாளும் அதுபோல ஏற்படத் துவங்கும். ஆகவே, திரு. ஹாண்டே அவர்கள் ஒத்துழைக்க வேண்டும் என்று கேட்டுக் கொள்கிறேன்.

DR. H. V. HANDE : Sir, I have finished three-fourth of my point and I will finish the rest in two minutes.

My point is that the corruption charges were sent by the President to the Prime Minister who had referred them to the Chief Minister. What should the Hon. Chief Minister do?

MR. DEPUTY SPEAKER : You are making a speech.

THIRU N. VEERASAMI rose.

டாக்டர் எச். வி. ஹாண்டே : இந்தச் சபை எந்த முறையில் நடைபெறுகிறது என்றுதான் சொல்கிறேன்.

மாண்புமிகு பேரவைத் துணைத் தலைவர் : முறை என்ன என்பதைப்பற்றிப் பேசும்போதுகூட ஒரு முறை இருக்கிறது. பத்திரிகை நிருபர்களைப் பார்த்து ஏன் பேசுகிறீர்கள்? அவைத் தலைவரைப் பார்த்துப் பேசுங்கள். அமைச்சர் அவர்களைப் பார்த்துக் கூடப் பேசக்கூடாது. பாயின்ட் ஆப் ஆர்டர் என்பதாக ஏதாவது ஒரு விஷயத்தைப்பற்றிப் பேசினால் சரி. பத்துப் பதினைந்து விஷயங்களுக்கு மேல் சொல்லியிருக்கிறீர்கள். இதையே கேள்வி நேரத்திற்குப் பிறகு கேட்கலாம். சபை உடனே கலைந்துவிடப்போவதில்லை. இதுபோல கட்சித் தலைவர்கள் நடந்துகொள்வதனால்தான் சபை இதுகாறும் கடைப்பிடித்து வந்த மரபுகள் பாதிக்கப்படுகின்றன. அவைத் தலைவர் வெளியிடக்கூடாது என்கிற செய்திகளைக்கூட பத்திரிகைகளில் வெளியிடுகிறீர்கள். நீங்கள் உங்கள் பாயின்ட் ஆப் ஆர்டரை கேள்வி நேரத்திற்குப் பிறகு எழுப்பலாமே?

DR. H. V. HANDE : Why don't you listen to me? You do not have the guts to listen to me.........

MR. DEPUTY SPEAKER : Dr. Hande, if at all it is a point of order, it must be very, very brief.

DR. H. V. HANDE : I am discussing the events on the 2nd instant. I will finish my point in two minutes. Therefore, my point is that the Cabinet headed by Thiru Karunanidhi is afraid to face the corruption charges. Otherwise, he should have laid a copy of the corruption charges on the table of the House. As he has not laid it, it shows that he has not the guts and he cannot do that. I challenge him to place the entire copy of the corruption charged on the table of the House. If he does that, at least 10 per cent mark I will give him (laughter). The entire copy should be laid here and the whole thing has to be discussed in this House. I know what the Hon. Chief Minister may say. He may say that the Prime Minister of India has sent these corruption charges to him and so without her permission he would not place it on the table of the House. That is how he will try to escape But we are entitled to get a copy of the corruption charges within 48 hours.

Then again, before 2nd December 1972 if there were re-elections, all of you would have lost your seats and there is no doubt about it. Now after the 2nd instant, you are going to lose your deposits also and there is no doubt about it. I am prepared to

face any constituency and challenge him either in Saidapet or Park Town or even Mr. Mathialagan's constituency, Thousand Lights. We are prepared to take up this challenge in any part of Tamil Nadu. Therefore. we want a straight answer. There has been a violation of the Constitution. (Interruption) Please do not control the Deputy Speaker.

மாண்புமிகு பேரவைத் துணைத் தலைவர் : நீங்கள் பேசுகிறமாதிரி நான் பேச ஆரம்பித்தால் நன்றாக இருக்காது. திருவள்ளுவர் 'யாகாவாராயினும் நா காக்க' என்றார். இந்த நாற்காலியில் நான் உட்கார்ந்திருக்கிறவரையில்—சீஃப் மினிஸ்டர் இல்லை—யாரும் என்னைக் கண்டிரோல் பண்ண முடியாது.

DR. H. V. HANDE : Do not threaten me.

MR. DEPUTY SPEAKER : I am not threatening you. Let the hon. Member resume his seat.

மாண்புமிகு டாக்டர் மு. கருணாநிதி : தலைவர் அவர்களே, மாண்புமிகு உறுப்பினர் சொல்கிறமாதிரி யாரும் தலைவரை இங்கிருந்து கண்டிரோல் செய்ய வில்லை. திரு. ஹாண்டே அவர்களுக்கு வாய்ப்புக் கொடுக்கப்பட்டதுபோல, திரு. பொன்னப்ப நாடார் அவர்களுக்கு வாய்ப்பு கொடுக்க இருப்பதுபோல, முஸ்லிம் லீக் கட்சித் தலைவருக்கும், பார்வேர்ட் ப்ளாக் கட்சித் தலைவருக்கும், எங்களுக்கும் கூட பேசுவதற்கு இப்போதே வாய்ப்புக் கொடுத்துவிடுங்கள். கேள்வி நேரத்திற்குப் பிறகு எடுத்துக்கொள்ள வேண்டும் என்பது இல்லை என்கிற யோசனையைத்தான் சொன்னோம். தலைவரை கண்டிரோல் செய்யவில்லை.

THIRU M. A. LATHEEF : Sir, this may be expunged.

DR. H. V. HANDE : Why should it be expunged?

MR. DEPUTY SPEAKER : It would not be expunged. Everything would go on record.

2. அரசினர் தீர்மானம்.

வினா நேரத்தை நிறுத்திவைத்தல்

மாண்புமிகு டாக்டர் மு. கருணாநிதி : தலைவர் அவர்களே, இது விவாதமாக ஆரம்பித்துவிட்டபடியால், அவை முன்னவர் சார்பாக விதி 244-ன்கீழ் கீழ்க் கண்ட தீர்மானத்தை முன் மொழிகிறேன் :—

" That rule 22 be suspended to-day ."